

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2015

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.35196 to 35198 of 2015

C.Kalimuthu .. Petitioner in
W.P.No.35196/2015

A.Kanagesan .. Petitioner in
W.P.No.35197/2015

P.Premkumar .. Petitioner in
W.P.No.35198/2015

Vs.

The Superintendent of Police,
District Police Office,
Vellore District,
Vellore. .. Respondent in
all WPs.

Common Prayer:- Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondent to implement the order passed by the respondent dated 25.03.2011 in D.O.655/2011 A2(1/17221/2010 and to give all benefits to the petitioners as per the seniority list dated 25.3.2011.

For Petitioners : Mr.D.Rajagopal
in all WPs.

For Respondent in : Mr.S.Gunasekar
all WPs. Government Advocate

COMMON ORDER

According to the petitioners, that they were appointed as Grade - II Police Constables in the year 1977. After 10 years, they were promoted as Grade I Police Constable. Then, they were promoted as Head Constable. In the year 2009, they were posted as a Special Sub-Inspectors.

2. In the year 1980, the petitioners passed the examination of 1st Grade Constable, but they were not given promotion at that time. Subsequently, the "C" list prepared by the department has been cancelled on 31.12.1986. Then similarly

placed persons approached the Hon'ble Tribunal. After that, promotion order has been passed in R.C.No.AII(15987/99) dated 20.01.2000. The said promotion order was also cancelled by the respondent. Then a similarly placed person, one K.M.Babu filed a writ petition seeking Revision of seniority. After that on 25.03.2011 order has been passed by the respondent revising the seniority. Though the order has been passed for revision of seniority on 25.03.2011, the same was not implemented by the respondent. The said K.M.Babu filed a writ petition before this Hon'ble Court in W.P.No.15831/2014 seeking mandamus directing the respondent to implement the order passed by the respondent dated 25.03.2011.

3. According to the petitioners, as per the order passed by this Hon'ble Court in W.P.No.15831 of 2014, the Director General of Police on 11.04.2015 clarified the matter to implement the order. After clarification by Director General of Police, till date the respondent herein has not implemented his own order. In this regard, they gave a representation on 22.11.2013 requesting the superintendent of police to implement the order passed on 25.03.2011 and to pay the wages as per the revision of seniority. But, this was not considered so far. Hence, the present writ petitions.

4. Though the petitioners prayed for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the case, directs the respondent to consider the petitioners' representation dated 22.11.2013 and pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioners.

With the above direction, the writ petitions are disposed of accordingly. No costs.

sms

Sd/-
Asst.Registrar (CCC)

/true copy/

WEB COPY
Sub Asst. Registrar

To
The Superintendent of Police,
District Police Office,
Vellore District,Vellore.
+3 ccs to Mr.D.Rajagopal, Advocate, sr.59737,59736,59735
+1 cc to Government Pleader, sr.60100
rsy co, kra 11.12.2015 W.P.No.35196 to 35198 of 2015